

July 24, 2019



Talbot County Short-Term Rental Review Board
Final Minutes

Thursday, July 11, 2019 at 1:00 p.m.
Community Center, Wye Oak Room
10028 Ocean Gateway, Easton, Maryland

Attendance:

Commission Members:

Scott Kane, Chairman
David McQuay, Vice Chairman
John "Jack" Hall
Martha Suss
Tammy Broll

Staff:

Mary O'Donnell, Assistant County Attorney
Miguel Salinas, Assistant Planning Officer
Elisa Deflaux, Environmental Planner
Carole Sellman, Recording Secretary

1. **Call to Order** - The Chair called the meeting to order on July 11, 2019 at 1:00 p.m. Mr. Kane opened the meeting.
2. **Decision Summary Review** – The minutes from June 27, 2019 were not available and will be deferred to the next meeting.
3. **Old Business** – Mr. Kane thanked staff for completed applications. Mr. Kane stated that he attended the County Council meeting last Tuesday regarding Bill 1413 and the STR regulations. The Council, he continued, decided the best course of action for Bill 1413 was to take no action as it would not impact applications currently completed or on the docket. The County Council advised to consider STR procedures and come up with revisions in one new legislative package in the next month to be in effect prior to January/February 2020 new STR submittals.

Mr. Kane thanked the County Attorney's office for providing proposed amendments to the Rules of Procedures. Ms. O'Donnell stated she understood at the Council meeting that they requested the STR Board serve as in an advisory capacity and come up with recommendations as to how to handle notices in the County Code. She stated that the Board needs to schedule a work session and then talk about advertisement for the public. Once a bill is passed by the Council, she noted, there would be 60 days before the legislation goes into effect.

Mr. Kane countered there was a lack of clarity from the County Council and asked for their further clarification. Ms. O'Donnell noted the Council speaks as a majority and not individually. Mr. Hall stated he is still in the dark as to what is driving the changes and before we start setting up meetings someone should let him know what is going on. Mr. Kane responded if they had better direction from the Council they would be better able to move forward. Mr. Kane thanked Council President Corey Pack for attending the meeting.

53 **4. New Business -**

- 54 a. Breezy Point Cottage/William McNair and Cindy Reichart, ST-861-MCN, 8618
55 Sewell Point Road, Wittman, MD 21676, (Map 22, Grid 2, Parcel 185. Zoned
56 Village Residential). Ms. Deflaux presented the staff report for the Short-Term
57 Rental (STR) license application. Mr. McNair stated they were there a couple of
58 meetings ago to discuss screening and at that time the Board did not offer any
59 formal guidelines for screening as there was no formal application on the docket
60 and they were presenting on an open agenda. He noted a contractor has been
61 contacted to change out the windows to be in compliance with safety
62 requirements. He also noted they own the lot next door and would ask for a
63 condition that if they sell the home that contains the STR, they would meet
64 whatever screening or fencing requirement at that time. Mr. McNair also gave
65 history on his property.

66
67 Mr. Hall noted he doesn't like for the law to contain surprises for future home
68 buyers. Ms. O'Donnell stated the deck is on the rental and it is 10 feet from the
69 property line; if you screen the deck the rental's view will be impacted. She noted
70 it is up to the Board to decide what is sufficient. Mr. Salinas suggested large
71 grasses for screening and Ms. Deflaux explained we have books to look at for
72 planting. Mr. McNair asked who would have the approving authority if they
73 propose screening. The Board responded that they are the approving authority and
74 they noted the windows do not have to be completed when Mr. Nair returns; any
75 approval would require a condition.

76
77 The Board called for Public comment. Susan duPont spoke. Written comments
78 were received by the Board from Ms. duPont.

79
80 **Mr. Hall made a motion to table the application to allow the applicant an**
81 **opportunity to present all his plans and screening for the Board for in the**
82 **future for Breezy Point Cottage/William McNair and Cindy Reichart, 8618**
83 **Sewell Point Road, seconded by Ms. Broll. The motion carried unanimously.**
84

- 85 b. Judith's Garden/Camille and Lana Kodsí - ST-479-KOD, 4795 Judiths Garden
86 Road, Oxford, MD 21654, (Map 53, Grid 6, Parcel 162, Lot 1, Zoned Rural
87 Conservation). Ms. Deflaux presented the staff report for the Short-Term Rental
88 (STR) license application. Jim Campbell and Jodie Hardesty from Eastern Shore
89 Vacation Rental represented the applicant and are the resident agent. Lana Kodsí
90 gave history on her property and application. Discussion ensued on the shared
91 driveway and whether a shared maintenance agreement existed; there is not an
92 official agreement. Ms. Kodsí stated that the Shannahan's give her the bill when
93 repairs have been done on the driveway and she pays as they want to be a good
94 neighbor. There was discussion that the neighbor would like the lease to say no
95 exploring the barn and the beach to put the tenants on notice. Mr. McQuay noted
96 there are only a certain amount of people allowed on the property per the license.
97 Ms. O'Donnell noted the Shannahan's are her late husband's distant relationship.

98 She stated she felt it did not create a problem but wanted to disclose the
99 information to the Board. Mr. Campbell suggested adding an aerial to include the
100 properties boundary lines to the lease agreement and house rules.

101
102 The Board called for Public comment. Individuals that spoke were Jennifer and
103 Robert Shannahan. Written comments were received by the Board from Susan
104 duPont.

105
106 **Mr. Hall made a motion to approve the STR application for four bedrooms**
107 **for 4795 Judiths Garden Road, with staff conditions, seconded by Mr.**
108 **McQuay. Ms. Broll asked for an amendment to the approved motion to see**
109 **that the aerial map showing the roadway be included in the lease and house**
110 **rules and posted prominently on the property. The motion carried**
111 **unanimously.**
112

- 113 c. Off the Grid/James and Camille Massie - ST-262-MAS, 26242 Langs Landing
114 Road, Oxford, MD 21654 (Map 53, Grid 7, Parcel 69, Lot 1A Zoned Rural
115 Residential). Ms. Deflaux presented the staff report for the Short-Term Rental
116 (STR) license application. Jim Campbell from Eastern Shore Vacation Rentals
117 (ESVR) represented the applicant and is the resident agent. Mrs. Massie gave
118 history on her property and noted she prefers longer-term renters. During the
119 course of the presentation, it was noted by the Board, applicant and agent that the
120 house was being used as a STR despite the lapse in the County license at the end
'21 of 2015.

122
123 The Board called for Public comment. Individuals that spoke were Carolyn
124 Helmly, Susan duPont and Susie Hayard. Written comments were received by the
125 Board from Susan duPont and Dr. Carolyn Helmly. The public spoke about
126 complaints related to trash, vehicular conflicts and the number of people on the
127 property. Ms. Helmly noted they contact the property owner when there are issues
128 and usually the problem is solved. She stated that she never contacts ESVR as she
129 feels the company doesn't care if they break the lease requirements. Jodie
130 Hardesty of ESVR responded they cannot put out fires if they don't know about
131 them and that she also contacted the ones that complained when she found out
132 about the issues. Mr. Campbell explained that it was an administrative oversight
133 and ESVR did not realize they didn't have a license. Once they were aware of the
134 mistake, he continued, they filed immediately. He stated they didn't realize the
135 process was going to take so long they and that they stopped taking bookings.
136 Mrs. Massie stated she was unaware of her license had lapsed.

137
138 **Ms. Suss made a motion to approve the STR application with conditions. The**
139 **motion died for lack of a second.**
140


141 **Mr. Hall made a motion to table the matter for (6) six months for Off the**
142 **Grid/James and Camille Massie, 26242 Langs Landing Road, seconded by**
143 **Ms. Broll. The motion was approved (4-1, Ms. Suss opposed).**
144

145 **5. Other Matters for Discussion -**

- 146 **a.** Mr. Salinas asked if the Board would like to have a regularly updated map
147 showing the location of STRs in the County. The Board affirmed the benefit of
148 having staff present to them a regularly-updated, County-wide STR Map. The
149 Board believed the information can be a useful tool to assist them in their
150 responsibilities of STR oversight. The Board supported the preparation of maps
151 two times per year, after each cycle of new applications (Jan-Feb and July-
152 August). Mr. Hall noted that he was concerned about the cost of producing the
153 maps and stated there is no reason to turn down an STR because there is one on
154 either side.
155
- 156 **b.** Ms. O'Donnell asked for some clarification about how to proceed with
157 communication to the County Council regarding changes to the STR program.
158 Mr. Kane responded he would like Ms. O'Donnell to write a letter to the Council
159 to see if they can get clear direction in what they expect from this Board.
160

161 **Adjournment** - The Chair called the meeting to adjourn. The meeting was adjourned at
162 4:08 p.m.
163

'64 Read and approved by the Board on 07-25-19.
165

166 
167 _____
168 Chairman
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